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Potter Stewart

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May 25, 1971

Dear Roger,

If you have not seen them, you will be interested in the enclosed reports by the two leading Washington newspapers of our Committee efforts. I also enclose the New York Times article, in the unlikely event that you have not already seen it.

Best personal wishes.

Sincerely yours,

Honorable Roger J. Traynor
Hastings College of Law
University of California
198 McAllister Street
San Francisco, California 94102
U.S. COURT OF APPEALS
District of Columbia Circuit

CONSTITUTIONAL LAW - SIMULTANEOUS ACTIONS - STAYS - PREROGATIVE WRITES

The plaintiffs are individuals and organizations. The individuals were defendants in the "Chicago Trial." During pre-trial, their motion for disclosure of any electronic surveillance was limited by order. The government maintained that the surveillance was lawful in the exercise of the constitutional power of the chief executive to gather information concerning subversive activities. In June, 1969, the plaintiff filed this action for damages and other relief based on the surveillance and the continued violation of their fundamental rights. The motion by the defendants in the instant action to stay all proceedings was granted on Dec. 2, 1969. On Feb. 18, 1970, five of the nine individual plaintiffs were convicted at the civil trial of the four defendants in the present action. The trial before the United States District Court for the District of Columbia was remanded the appeal as an appeal without vacating or mandating any action. Some of the plaintiffs were not present at the time of the criminal trial. The stay order was in effect since it prohibited any action by those plaintiffs who were not defendants in the criminal case beyond its trial stage. The order at the time relates only to its scope. Where related civil and criminal litigations are pending simultaneously, sound discretion may require that the civil action be blocked entirely. Even motion for disclosure of any electronic surveillance was made.

Notes and Views

Aiding and Abetting Rendler Co.

Criminal Justice: A Landmark Reached

By William J. Vandenberg

On April 29, 1971, Chief Judge Stanley H. Fuld, speaking for the American Bar Association, announced a historic and unprecedented ruling designed to bring criminal defendants to trial in civil cases after their arrest, and putting a limit on their pretrial detention. The ruling will become effective on May 1, 1971.

The ruling by Justice Irving H. Kaufman, District Judge of the United States Court of Appeals for the Second Circuit, was based on an interpretation of the 1944 Act that makes it unlawful for the Executive to assign a defendant to a balance of nearly ninety days on their pretrial detention.

The ruling will become effective on May 1, 1971. There are sufficient safeguards on the announced mandate by the Chief Judge so that the indiscriminate release of prisoners will not happen. The new ruling is intelligently and intelligently gives the community a year in which to recognize its system of criminal justice.

The new policy is attacked from the right, where it is said, it will result in the courts being unable to be substantially altered, since defendants will not have to face the prospect of endless detention pending review of "judicial" of habeas corpus.

The board of correction strongly supported the Chief Judge's ruling. The board of correction is noted for its acceptance of the suggestion of the United States District Court to make the new policy effective immediately.

Constitutional guarantee of a speedy trial is a citizen's right.

One of the most effective methods of retaining the constitutional guarantee of a speedy trial is the careful selection of the right judge to hear the case. This is done by the judge's selection of the right judge to hear the case. The selection of the right judge is determined by the judge's selection of the right judge. The selection of the right judge is determined by the judge's selection of the right judge. The selection of the right judge is determined by the judge's selection of the right judge.

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Edelstein: Cool, Firm Judge Chief

By Alan Kahn

When David N. Edelstein became Chief Judge of the Appellate Division, 3d Department, on April 1, he expressed the measured tones of one who is about to hold the reins.

He said that he would take time to assimilate the administration of the court, that he would start with those matters that he felt were most pressing: that the people of the state were looking forward to the effective operation of our courts and the efficient and quick processing of cases, and that it was his duty to provide them the additional assistance they would need.

The courts, wherever possible, should move to the prisons, especially for hearings and bail review.

Edelstein took over the position of Chief Judge for the Appellate Division, 3d Department, on April 1, succeeding Judge J. M. D. F. Wetterling.

The new chief judge will have the responsibility of overseeing the work of the court in the remainder of the year.

The court will also have control over the fiscal matters of the court, including the appointment of new judges and the determination of their salaries.

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Save a watt. Because New York and Westchester, and perhaps other places too, may face power emergencies this year. Because now and in future years protection of the earth’s environment requires we use all kinds of energy wisely and not wastefully.

Save a watt. Because if we start conserving electricity now, especially in day time, we may avoid more serious problems later. Con Edison is doing everything possible to end power shortages. If new facilities can be completed on schedule, we will have one of the nation’s most modern electric systems in just a few years. But even when power is plentiful it should be conserved.

Save a watt. Because with your help there’s less chance of serious disruptions of electric service this summer. And using all energy wisely is essential to keeping the earth a good place to live.

10 ways to save a watt

1. During the day, when no one is home, turn the air conditioning off.

2. When using air conditioners, select moderate or medium settings rather than turning your unit on high. During the day keep windows closed and shades drawn to keep out the sun so that air conditioners won’t have to work so hard.

3. Whenever possible, plan to run major appliances – and perhaps smaller appliances as well – before 8 am and after 6 pm.

4. If possible, use dishwashers just once a day – after the dinner meal.

5. When using air conditioners, select moderate or medium settings rather than turning your unit on high. During the day keep windows closed and shades drawn to keep out the sun so that air conditioners won’t have to work so hard.

6. Keep lights off when it’s daylight. Use safety and health reasons the heat from lighting requires more air conditioning.

7. Never leave a kitchen range on or even if not actually cooking.

8. Turn off all television and radio sets when you are not looking or listening.

9. If you can, save one-in-a-week jobs like vacuum cleaning or working with power tools until the weekend.

10. When buying an air conditioner, look for the right size and make sure you purchase one with the highest possible amount of BTU’s of cooling for every watt used.